

EXHIBIT 11

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

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THE CITY OF HUNTINGTON,

Plaintiff,

vs.

CIVIL ACTION

NO. 3:17-01362

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.

CABELL COUNTY COMMISSION,
Plaintiff,

vs.

CIVIL ACTION

NO. 3:17-01665

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.

* * * * *

Videotaped and Zoom video conference
deposition of R. COREY WALLER, M.D. taken by the
Defendants under the Federal Rules of Civil
Procedure in the above-entitled action, pursuant to
notice, before Jennifer Vail-Kirkbride, a Registered
Merit Reporter, on the 7th day of September, 2020.

1 A. Not within the supply chain.

2 Q. Are you familiar with any state or federal
3 regulations relating to the diversion of controlled
4 substances outside the supply chain?

5 A. The criminal laws that go long with that,
6 as well as the board -- medical board of the state
7 that oversees the distribution of these medications
8 -- distribution, the prescribing and delivery of
9 these medications from a prescriber standpoint, and
10 then some internal diversion pieces for -- from like
11 nursing, I have treated some nurses with addiction,
12 as well, and so I had to read a little bit about
13 that. But in their entirety, no, but their
14 existence, yes.

15 Q. Okay. You are not in this case offering
16 any opinion on the scope of distributors'
17 obligations under state or federal law, are you?

18 A. No, I am not.

19 Q. And you are not offering an opinion on
20 whether the distributor defendant in this case
21 complied with those obligations, are you?

22 A. No, I am not.

23 Q. So you are not offering an opinion on
24 whether a defendant in this case should or shouldn't

1 have shipped a particular order to a particular
2 pharmacy.

3 MS. DICKINSON: Objection to form.

4 A. I wasn't asked to specifically evaluate
5 that.

6 Q. You are not offering any opinion in this
7 case on the distributor defendant's suspicious order
8 monitoring systems, are you?

9 A. Again, I was not asked to evaluate that.

10 Q. Okay. How do you define addiction?

11 MS. DICKINSON: Objection. Form.

12 A. I -- well, I guess the general -- we can
13 start at the 30,000 and I am happy to get as deep in
14 these weeds as you want, but I define addiction as a
15 maladaptive behavioral response to either a
16 substance or a behavior that has significant impact
17 on one's ability to live their normal life and has
18 impact on risk-taking, social obligations,
19 repetitive utilization, which increases the risk of
20 development of tolerance or withdrawal, and more
21 particularly that it's more about the behaviors
22 associated with obtaining or using a drug than it is
23 about the presence or absence of a drug.

24 Q. Do you believe that the ASAM definition of

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5 STATE OF WEST VIRGINIA

6 COUNTY OF BROOKE, to wit;
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8

9 I, Jennifer Vail-Kirkbride, a Notary Public and
10 Commissioner within and for the County and State
11 aforesaid, duly commissioned and qualified, do
12 hereby certify that the attached deposition
13 transcript of R. COREY WALLER, M.D. meets the
14 requirements set forth within article twenty-seven,
15 chapter forty-seven of the West Virginia Code to the
16 best of my ability at the time I submitted the same
17 to Realtime Reporters, LLC, 713 Lee Street,
18 Charleston, West Virginia on September 10, 2020, for
19 distribution. Said transcript was duly taken by me
20 and before me at the time and place and for the
21 purpose specified in the caption hereof, the said
22 witness having been by me first duly sworn.

23 I do further certify that the said deposition
24 consisting of 317 pages was correctly taken by me in

1 stenotype notes, and that the same were accurately
2 written out in full and reduced to typewriting and
3 that the witness did request to read his transcript.
4

5
6 My Notary Public commission expires: August 26,
7 2023.

8 My West Virginia Commissioner commission expires:
9 February 15, 2022.

10 Given under my hand this 10th day of September,
11 2020.

12 
13 /s/ Jennifer Vail-Kirkbride

14
15 /s/ Jennifer Vail-Kirkbride

16 _____
17 Registered Professional
18 Reporter

19 RMR, CRR, FCRR, RPR, WV-CCR
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